

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: ra3[1].jpg

Other Known Title: Not Stated

Format: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Applicable

Country of Origin: Not Stated

Language: English

Applicant: Comptroller of Customs

Distributor: Not Applicable

Classification:	Objectionable.
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Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 17 January 2008

Date of direction to issue a label: Not Applicable

OFLC No: 702053

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The computer image file *ra3[1].jpg* is classified as:
Objectionable.

The image is a computer-generated photo-realistic illustration of two young siblings engaging in sexual conduct, with words and speech balloons that play up the incest. The focus on child nudity and sexual conduct between the children in the image and words is exploitative, and seeks to make sexual conduct between children sexually arousing to adults. The file promotes and supports the exploitation of children and young persons for sexual purposes, and is therefore deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act (FVPC Act).

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification interferes with the freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of children for sexual purposes.